



Entered on Docket
November 04, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Eighth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Fiesta Oak Valley Loan**

Hearing Date: October 18, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fiesta Oak Valley Loan ("Fiesta Oak Valley Loan") [DE 9076] (the "Objection"); the Court having heard the Objection on October 18, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 borrower or from the collateral securing the Fiesta Oak Valley Loan; and good cause
2 appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 9076] is sustained; and
5 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%
6 disallowed to the extent those claims are based upon an investment in the Fiesta Oak
7 Valley Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust

Fiesta Oak Valley

Multiple Loan Claims

Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In The Fiesta Oak Valley Loan	Amount Disallowed (80%)	Amount Allowed (20%)
10725-01901	Parker, Charles & Mary	14470 Emerald Path Apple Valley, MN 55124	236,840.31	58,215.28	\$46,572.22	\$11,643.06
10725-01032	Perrone, Nicholas	5112 San Anselmo St Las Vegas, NV 89120	736,089.00	90,000.00	\$72,000.00	\$18,000.00
10725-02176	R L Allgeier Family Trust DTD 10/4/97	Robert Allgeier 1767 Shamrock Cir Minden, NV 89423	430,473.09	105,000.00	\$84,000.00	\$21,000.00
10725-02088	Robert W Ulm Living Trust DTD 4/11/05	Robert W Ulm Tee 414 Morning Glory Rd St Marys, GA 31558	1,376,330.00	50,000.00	\$40,000.00	\$10,000.00
10725-02090	Robert William Ulm IRA	Pensco Trust Company Custodian 414 Morning Glory Rd St Marys, GA 31558	1,415,506.00	50,000.00	\$40,000.00	\$10,000.00
10725-02281	Roisentul Family Trust	Saul & Ilene Roisentul Trustees 74075 Kokopelli Cir Palm Desert, CA 92211-2075	840,536.32	50,000.00	\$40,000.00	\$10,000.00
10725-01036	Sierra West Inc	Po Box 8346 Incline Village, NV 89452-8346	425,583.32	50,000.00	\$40,000.00	\$10,000.00
10725-02175	Simmons Hwijwros, Alan R & Judith B	Po Box 13296 South Lake Tahoe, CA 96151-3296	1,186,288.22	50,000.00	\$40,000.00	\$10,000.00
10725-01960	Souza JT Ten, David A & Elizabeth M	542 Socorro CT Reno, NV 89511	1,031,654.42	100,000.00	\$80,000.00	\$20,000.00
10725-01371	Spangler, William M & Jean A	10023 Kentfield Place Reno, NV 89521	147,895.00	50,000.00	\$40,000.00	\$10,000.00

EXHIBIT A

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